

IMPORTANT- READ CAREFULLY BEFORE FILLING OUT THE CLAIM FORM

The Deputy Clerk are empowered to assist individuals the necessary paperwork ; however, the Deputy Clerks do not have the authority to give legal advice. No representation which may be made by the Deputy Clerks concerning the state of the law will be binding on the Court.

1. The jurisdictional limit of civil actions in Magistrate Court is \$15,000.00.
2. If your claim is for more than \$15,000.00, you cannot voluntarily reduce the amount sued for; or sue for only part of the amount to bring your suit in the Magistrate Court.
3. Generally, civil actions must be filed in the county where the DEFENDANT resides.
4. If you wish to subpoena witnesses, see the Clerk immediately upon your filing the claim. The costs incident to filing subpoenas will be your responsibility.
5. The party filing the claim is the PLAINTIFF and the person or persons being sued are the **DEFENDANTS**.
6. The PLAINTIFF must fill out the original claim form and a copy for each DEFENDANT. Please type or print. The filing fee for one (1) DEFENDANT is \$60.00 and \$85.00 for two (2) DEFENDANTS.
7. In the designated space on the claim form, the PLAINTIFF should state the facts upon which he or she bases his or her claim against the DEFENDANTS. This information must include the date of the incident which has given rise to the action.
8. The DEFENDANTS complete and accurate residence address should be included on the claim form at the time of filing so that he or she may be served with the summons and complaint. POST OFFICE NUMBERS WILL NOT BE ACCEPTED. Whenever possible, the DEFENDANTS place of employment should be included.
9. BE certain that the correct names of the parties are given. The PLAINTIFF and DEFENDANT should be designated either as individuals or as corporations.
10. The PLAINTIFF must swear to the accuracy of the claim form and sign the verification before a Deputy Clerk. If the PLAINTIFF mails the claim form into this office, the claim verification must be witnessed or sworn to before a NOTARY PUBLIC.
11. If the basis for your claims is an open account or contract, you must provide sufficient copies of the account or contract to the court at the time of filing, one with the original and one for each DEFENDANT.
12. If the PLAINTIFF has not received a copy of the DEFENDANTS answer within fifty (50) days after filing the claim, he or she should return to the CLERKS office and inquire as the status of the case. At the time he or she should bring his or her filing receipt.
13. At the time of trial, both parties should bring all documents, writing, and receipts which they feel appertain to their case. Generally AFFIDAVITS, LETTERS AND ESTIMATES ARE NOT ACCEPTED.
14. The Civil Practice Act does not apply in Magistrate Court, but the Rules of Evidence do and all litigants will be bound thereby.